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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,434	05/30/2000	Chang-Rok Lee	P56102	2482

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 02/04/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/580,434

Applicant(s)

LEE ET AL.

Examiner

Bob Chevalier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,9,10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 2,3,6-8 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

1. Claims 6-8 are objected to because of the following informalities: The term "prevent" recited in line 1 of paragraph 3 of claim 6 should be changed to --present--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4, 9, 13, are rejected under 35 U.S.C. 102(b) as being anticipated by Okamoto et al.

Okamoto et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 1, and 13, including the feature of receiving composite synchronizing signal and detecting therefrom a copy-preventing signal (See Okamoto et al's Figure 6, components 51, and 71, and further, see Okamoto et al's column 5, lines 22-39, and column 6, lines 2-12), and the feature of generating a recording-prevention control signal adapted to stop a recording of the content embodied in the video signal when a copy-preventing signal is detected by the first means as specified in the present claims 1, and 13. (See Okamoto et al's column 5, lines 53-58).

With regard to claim 4, the feature of indicating detection of the copy-preventing signal when a pulse count value in a predetermined interval of the composite synchronizing signal being equal to or greater than a predetermined threshold value as

specified thereof would be present in Okamoto et al. (See Okamoto et al's column 5, lines 31-39).

With regard to claim 9, the feature of refraining from copying the content embodied in the video signal when it is determined that a copy-preventing signal is present in the video signal upon determining that a copy command has been input as specified thereof is present in Okamoto et al. (See Okamoto et al's column 5, lines 52-58).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al in view of Knudson et al.

Okamoto et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claim 5, including the feature of generating a recording-prevention control signal adapted to stop a recording of the content embodied in the video signal when a copy-preventing signal is detected as specified in the present claims 5. (See Okamoto et al's column 5, lines 53-58).

Okamoto et al fails to specifically disclose the feature of displaying information that the video signal to be copied is copy-protected, when a copy-preventing signal is detected as specified in the present claim 5.

Knudson et al discloses a video recording apparatus, which includes the feature of displaying information that the video signal to be copied is copy-protected, when a copy-preventing signal is detected as specified in the present claim 5. (See Knudson et al's column 11, lines 9-16).

It would have been obvious to one skilled in the art to modify the Okamoto et al's recording apparatus wherein the recording means provided thereof would incorporate the capability of a display means in a manner so as to display information that the video signal to be copied is copy-protected, when a copy-preventing signal is detected in the same conventional manner as shown by Knudson et al. The motivation being to inform the user that the video signal to be copied is copy-right protected at any desired time as suggested by Knudson et al, thereby, increase the efficiency of the recording apparatus.

7. Claims 10, and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al in view of Dunlap et al.

Okamoto et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 10, and 14, including the feature of receiving composite synchronizing signal and detecting therefrom a copy-preventing signal (See Okamoto et al's Figure 6, components 51, and 71, and further, see Okamoto et al's column 5, lines 22-39, and column 6, lines 2-12), and the feature of generating a recording-prevention control signal adapted to stop a recording of the content embodied in the video signal when a copy-preventing signal is detected by the first means as specified in the present claims 10, and 14. (See Okamoto et al's column 5, lines 53-58).

Okamoto et al fails to specifically disclose the feature of dual deck videocassette recorder having a reproducing deck VCR and the recording deck VCR as specified in the present claims 10, and 14.

Dunlap et al does disclose a video recording/reproducing apparatus, which includes the feature of the dual deck videocassette recorder having a reproducing deck VCR, and the recording deck VCR as specified in the present claims 10, and 14. (See Dunlap et al's Figure 2).

It would have been obvious to one skilled in the art to modify the Okamoto et al's recording/reproducing apparatus wherein the recording/reproducing means provided thereof would incorporate the capability of a dual deck VCR for the purpose of performing recording and reproducing in the same conventional manner as shown by

Dunlap et al. The motivation being to make it easier for the user to perform duplication operation at any desired time as suggested by Dunlap et al.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al and Dunlap as applied to claim 10 above, and further in view of Knudson et al.

The proposed combination of Okamoto et al and Dunlap et al indicated above discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claim 12, including the feature of the dual deck VCR (See Dunlap et al's Figure 2) and the feature of generating a recording-prevention control signal adapted to stop a recording of the content embodied in the video signal when a copy-preventing signal is detected as specified in the present claim 12. (See Okamoto et al's column 5, lines 53-58).

The proposed combination of Okamoto et al and Dunlap et al fails to specifically disclose the feature of displaying information that the video signal to be copied is copy-protected, when a copy-preventing signal is detected as specified in the present claim 12.

Knudson et al discloses a video recording apparatus which includes the feature of displaying information that the video signal to be copied is copy protected, when a copy-preventing signal is detected as specified in the present claim 12. (See Knudson et al's column 11, lines 9-16).

It would have been obvious to one skilled in the art to modify the recording/reproducing apparatus shown by the proposed combination of Okamoto et al

and Dunlap et al indicated above, wherein the recording means provided thereof would incorporate the capability of a display means in a manner so as to display information that the video signal to be copied is copy-protected, when a copy-preventing signal is detected in the same conventional manner as shown by Knudson et al. The motivation being to inform the user that the video signal to be copied is copy-right protected at any desired time as suggested by Knudson et al, thereby, increase the efficiency of the recording apparatus.

9. Claims 2-3, 11, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 6-8 contain allowable subject matter over the prior art of record.

11. The following is a statement of reasons for the indication of allowable subject matter:

The claimed invention is directed to a method for controlling copy of content embodied in a video signal. The independent claim identifies the feature of “comparing a time T1 read from a timer with an initial set threshold value T0 when it is determined that a copy command has been input; determining whether a copy-preventing signal is present in the video signal to be recorded when it is determined that T1 is greater or equal to T0; and refraining from copying the content embodied in the video signal when it is determined that the copy preventing signal is present in the video signal”. The closest prior art, Okamoto et al is directed to video recording/reproducing apparatus,

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either singularly or in combination fails to anticipate or render the above underlined limitations obvious.


Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier
January 30, 2004.


ROBERT CHEVALIER
PRIMARY EXAMINER